

MARYLAND TRANSPORTATION AUTHORITY  
MONTHLY MEETING  
WEDNESDAY, AUGUST 25, 2010  
POINT BREEZE HEADQUARTERS BUILDING  
BALTIMORE, MD

OPEN SESSION

MEMBERS ATTENDING: Beverley K. Swaim-Staley, Chair  
Harold Bartlett, Acting Chair

Jack Basso  
Rev. Dr. William Calhoun  
Mary Halsey  
Louise P. Hoblitzell (via telephone)  
Richard C. Mike Lewin  
Walter E. Woodford, P.E.

MEMBERS ABSENT: Michael Whitson

STAFF ATTENDING: Chief Marcus Brown  
Randy Brown  
Sandi Clifford  
George Fish  
Doug Hutcheson  
Derek Jones  
Dave LaBella  
Terry Niswonger  
Mike Rice  
Deb Sharpless  
Dennis Simpson  
Valerie Smith, Esquire  
Cheryl Sparks  
Cindy Taylor  
Sam Triandos

OTHERS ATTENDING: Leif Dormsjo, MD Dept. of Transportation

At 8:45 a.m., Chair Beverley K. Swaim-Staley called the meeting of the Maryland Transportation Authority to order.

At 8:46 a.m., upon motion by Mr. Basso and seconded by Ms. Halsey, the Members unanimously voted to move into Closed Session pursuant to Section 10-508(a) (1) (i) and (ii) of the State Government Article of the Annotated Code of Maryland to discuss the approval of an acting, interim Executive Secretary of the Maryland Transportation Authority, an official over whom the Authority has jurisdiction.

At 8:49 a.m., motion was made by Mr. Woodford and seconded by Mr. Lewin, with the unanimous approval of the Members to return to Open Session.

#### **RATIFICATION OF ACTION TAKEN DURING CLOSED SESSION**

Upon motion by Mr. Woodford and seconded by Mr. Basso, the Members unanimously ratified the approval during Closed Session of Harold Bartlett to serve as the interim, acting Executive Secretary.

At 9:00 a.m., Chair Beverley K. Swaim-Staley left the meeting and Acting Chair Harold Bartlett called the meeting of the Maryland Transportation to order.

Acting Chair Harold Bartlett commented that late last evening, Delegate Rudolph's assistant called to say that he would not be able to attend the meeting today. An I-95/MD 222 Concept Study Work Group has been developed in response to his request and will be meeting next month.

#### **APPROVAL – OPEN MINUTES – JULY 14, 2010 AND JULY 29, 2010**

Upon motion by Mr. Woodford and seconded by Rev. Dr. Calhoun, the minutes of the Authority's July 14, 2010 and July 29, 2010 Open Meetings were unanimously approved by the Members.

#### **RESOLUTIONS: MICHAEL DARAGO, KENNETH CIMINO, GREGORY BROWN, RONALD FREELAND**

Mr. Brown recognized the services of these four employees who have had long, distinguished careers with MDTA.

Upon motion by Mr. Basso and seconded by Mr. Lewin, Members unanimously approved Resolutions for Michael Darago, Kenneth Cimino, Gregory Brown and Ronald Freeland and that they be entered into the Authority's August 25, 2010 Minutes.

**ICC EDUCATIONAL CAMPAIGN PRESENTATION**

Ms. Sparks gave the Members an update on the ICC Educational Campaign. Basically, the campaign is focused on the ICC opening dates, access points, how to sign-up for E-ZPass and the toll rate information. The ICC Public Outreach efforts include an educational campaign, business outreach, grassroots outreach, partnership-marketing with other transportation agencies, elected official outreach, community events and an opening promotion. Members commended Ms. Sparks on the campaign.

**APPROVAL – ADDENDUM NO. 1 – TRAVEL PLAZA UPDATE**

Mr. Fish requested approval in regard to the plan to issue Addendum 1 for Contract NE-S1-2008, Operation of Service Area Travel Plazas on the John F. Kennedy Memorial Highway ("Gap Contract"). The addendum will modify the Gap Contract with HMSHost to allow Host to reopen the Chesapeake House Welcome Center and operate it as part of its current operations. The addendum will be effective as of May 14, 2010.

The Chesapeake House Welcome Center was operated by the Department of Business and Economic Development (DBED) and closed in December 2009. MDTA was later directed to explore options to reopen the Welcome Center, such as staffing the Welcome Center with MDTA staff or requesting that HMSHost operate the Welcome Center. The cost to operate it will be approximately \$200,000 per year. Considering the future operations of the Visitor's Centers and the need to hire MDTA staff, the decision to modify the Contract by this Addendum to allow Host to operate the Welcome Center was determined to be in the best interest of the Authority.

Upon motion by Mr. Basso and seconded by Mr. Lewin, Members unanimously approved Addendum No. 1 – Gap Contract – Travel Plazas subject to internal discussions within the State on recouping some of the cost.

**APPROVAL – CONTRACTS**

Mr. Hutcheson presented the following contracts for approval:

- **Contract No. KH 1503-000-006 – I-95 ETL from I-895 split to South of Kenwood Ave and Chesaco Ave Bridge – Increase the Executive Secretary's Delegated Authority**

This contract is currently being done by Cherry Hill Construction and the request is to increase the delegated authority on the contract. The current contract is \$95,477,172.05 and are requesting an increase of 18.50% which will increase the contract to \$102,853,548.88. This additional increase is needed to perform extra work including known and unknown work, redline revisions, overruns, additional work items, and extra work authorizations. The MBE goal for this contract is 20% and the contractor will still meet or exceed this goal. The overall budget is in good shape. The Capital Committee recommended bringing this to the full Authority.

Upon motion by Mr. Woodford and seconded by Rev. Dr. Calhoun, Members unanimously approved the increase of the delegated authority of the Executive Secretary to 18.50% for a total contract amount to \$102,853,548.88.

- **Contract No. BB 2176-000-006R - Cleaning and Painting at Westbound Bay Bridge, Anne Arundel and Queen Anne Counties**

This project consists of cleaning and painting the structural steel at the west girder spans, cleaning and painting the steel rail posts on the south side of the bridge between the west abutment and span 19 as well as from the signal gantry N-2 through the signal gantry N-5 and miscellaneous structural repairs. The contract was advertised on April 6, 2010 and bids were received on May 19, 2010. The apparent low bidder discovered that they had committed an error by not including the price received from one of their subcontractors, and therefore submitted a bid withdrawal request. After being evaluated by Engineering, Legal, and the Office of Procurement and Statutory Compliance, the error claimed by the low bidder was found to be valid, their request was approved. This contract was reviewed by the Capital Committee on August 5, 2010 and was recommended for approval to the full Authority to the lowest and responsive bidder, Atsalis Brothers in the amount of \$14,279,600.

Upon motion by Mr. Basso and seconded by Rev. Dr. Calhoun, Members unanimously awarded Contract No. BB 2176-000-006R – Cleaning and Painting at the Westbound Bay Bridge to Atsalis Brothers in the amount of \$14,279,600.

- **Contract No. MA 951-000-002 – Lighting Renovations at the I-95/I-395 and I-95/I-895 Interchanges**

This project consists of upgrading and replacing all lights within the Interchanges, ramps and parking lots. Bids were received on May 18, 2010 and

the low bidder was Midasco, LLC. and was found to be acceptable. The Capital Committee recommended bringing this contract to the full Authority.

Upon motion by Rev. Dr. Calhoun and seconded by Ms. Halsey, Members unanimously awarded Contract No. MA 951-000-002 – Lighting Renovations at the I-95/I-395 and I-95/I-895 Interchanges to the lowest responsive and responsible bidder Midasco, LLC in the amount of \$2,454,400.

- **Contract No. HT 2258-000-002 – Replace Existing BHT Overheight Detection System**

This project consists of furnishing, installing, integrating, testing, commissioning and warranting of an Overheight Detection System for the Baltimore Harbor Tunnel. The low bidder was Midasco, LLC and was found to be acceptable. The Capital Committee recommended bringing this contract to the full Authority.

Upon motion by Rev. Dr. Calhoun and seconded by Ms. Halsey, Members unanimously awarded Contract No. HT 2258-000-002 – Replace Existing BHT Overheight Detection System to the lowest responsive and responsible bidder Midasco, LLC in the amount of \$366,366.

- **Contract No. MDTA 2010-01 (A, B and C) – Physical On-Site Condition Inspections of MDTA's Facilities**

These projects are engineering contracts to perform on-site condition inspections of all of the facilities, as required. These are task based contracts with a not-to-exceed total dollar amount of \$15 million per contract for a total of \$45 million. The contract duration is 4 years. The selected firms for these contracts are: Rummel, Klepper & Kahl LLP/Modjeski & Master, Inc. JV; Greenhorne & O'Mara/Ammann & Whitney/Pennoni Associates JV; and Hardesty & Hanover/AECOM/Whitman, Requardt & Associates JV. Each of the proposed teams is comprised of reputable local firms and outstanding national firms with bridge inspection expertise. The Capital Committee recommended bringing this to the full Authority.

Upon motion by Mr. Basso and seconded by Ms. Halsey, Members unanimously awarded Contract No. MDTA 2010-01 (A, B and C) – Physical On-Site Condition Inspections of MDTA's Facilities to the following firms: Rummel, Klepper & Kahl LLP/Modjeski & Master, Inc. JV; Greenhorne & O'Mara/Ammann & Whitney/Pennoni Associates JV; and Hardesty & Hanover/AECOM/Whitman,

Requardt & Associates JV for a not-to-exceed total dollar amount of \$15 million per contract for a total of \$45 million.

**APPROVAL – BOARD POLICY ON CONSOLIDATED  
TRANSPORTATION PROGRAM (CTP) APPROVAL**

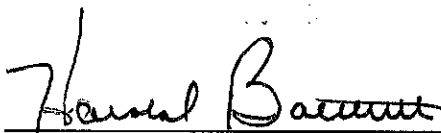
Mr. Simpson presented this policy to solidify that two actions are taken by the Authority related to the Capital Program. The first action being that the Draft CTP is approved on or before July 1 and the second action being that the Final CTP is approved on or before December 1. This policy has been reviewed by both the Capital and Finance Committees and was recommended to be adopted by the full Authority.

Upon motion by Mr. Woodford and seconded by Ms. Hoblitzell, Members unanimously adopted the Board Policy on Consolidated Transportation Program (CTP) Approval.

There being no further business, the meeting of the Maryland Transportation Authority was adjourned by general consensus at 9:56 a.m. following a motion by Mr. Basso and seconded by Rev. Dr. Calhoun.

The next meeting of the Maryland Transportation Authority is scheduled for Thursday, September 23, 2010 at 9:00 a.m. at the Point Breeze Headquarters, 2310 Broening Highway, Baltimore, Maryland.

APPROVED: \_\_\_\_\_

  
Harold Bartlett, Acting Chair



## MARYLAND TRANSPORTATION AUTHORITY

### STATEMENT FOR CLOSING A MEETING

LOCATION: Maryland Transportation Authority  
2310 Broening Highway.  
Baltimore, Maryland 21224

DATE: August 25, 2010

TIME: 8:45 a.m.

MOTION BY:

*Member Basso*

SECONDED BY:

*Member Halsey*

#### VOTE TO CLOSE SESSION:

	AYE	NAY	ABSTAIN	ABSENT
Louise P. Hoblitzell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Walter E. Woodford, Jr., P.E.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rev. Dr. William C. Calhoun, Sr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<del>Isaac H. Marks, Sr., Esq.</del>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael J. Whitson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Peter J. Basso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Richard C. Mike Lewin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mary Beyer Halsey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chairperson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### STATUTORY AUTHORITY TO CLOSE SESSION STATE GOVERNMENT ARTICLE, §10-508(a)

(1) ☒ To discuss:

- (i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or
- (ii) any other personnel matter that affects 1 or more specific individuals.

(2) ☐ To protect the privacy or reputation of individuals with respect to a matter that is not related to public business.

(3) ☐ To consider the acquisition of real property for a public purpose and matters directly related thereto.

(4) ☐ To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State.

(5) ☐ To consider the investment of public funds.

**STATEMENT FOR CLOSING A MEETING**

Page 2

- (6) [ ] To consider the marketing of public securities.
- (7) [ ] To consult with counsel to obtain legal advice.
- (8) [ ] To consult with staff, consultants, or other individuals about pending or potential litigation.
- (9) [ ] To conduct collective bargaining negotiations or consider matters that relate to the negotiations.
- (10) [ ] To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including:
  - (i) the deployment of fire and police services and staff; and
  - (ii) the development and implementation of emergency plans.
- (11) [ ] To prepare, administer, or grade a scholastic, licensing, or qualifying examination.
- (12) [ ] To conduct or discuss an investigative proceeding on actual or possible criminal conduct.
- (13) [ ] To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.
- (14) [ ] Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

**TOPICS TO BE DISCUSSED:**

**The meeting will be closed under Section 10-508(a)(1)(i) and (ii) of the State Government Article to discuss the approval of an acting, interim Executive Secretary of the Maryland Transportation Authority, an official over whom the Authority has jurisdiction.**

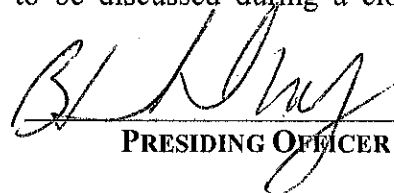


**STATEMENT FOR CLOSING A MEETING**

Page 3

**REASON FOR CLOSING:**

To discuss matters that are permitted by statute to be discussed during a closed session of a meeting of a public body.

  
\_\_\_\_\_  
**PRESIDING OFFICER**